

VZCZCXYZ0038
PP RUEHWEB

DE RUEHLP #1761/01 1781524
ZNR UUUUU ZZH
P 271524Z JUN 07
FM AMEMBASSY LA PAZ
TO RUEHC/SECSTATE WASHDC PRIORITY 4106
INFO RUEHAC/AMEMBASSY ASUNCION 6881
RUEHBO/AMEMBASSY BOGOTA 4227
RUEHBR/AMEMBASSY BRASILIA 8110
RUEHB/AMEMBASSY BUENOS AIRES 5361
RUEHCV/AMEMBASSY CARACAS 2595
RUEHPE/AMEMBASSY LIMA 2751
RUEHMN/AMEMBASSY MONTEVIDEO 4688
RUEHQ/AMEMBASSY QUITO 5226
RUEHSG/AMEMBASSY SANTIAGO 9824
RUMIAAA/USCINCSO MIAMI FL
RUEHUB/USINT HAVANA 0382
RHEHNSC/NSC WASHINGTON DC
RHMFIUU/HQ USSOUTHCOM MIAMI FL

UNCLAS LA PAZ 001761

SIPDIS

SENSITIVE
SIPDIS

E.O. 12958: N/A

TAGS: PGOV PREL PHUM BL

SUBJECT: COCHABAMBA CONFLICT CASES SHOW LITTLE PROGRESS

REF: A. LA PAZ 103

- 1B. LA PAZ 96
- 1C. LA PAZ 84
- 1D. LA PAZ 83
- 1E. LA PAZ 75
- 1F. LA PAZ 54

Summary

11. (SBU) Poloff visited Cochabamba on June 20 and met with the human rights ombudsman's local representative and the district attorney (DA) to discuss the status of the investigations into the Cochabamba conflict of January 8-11. In only one of the three deaths is there a suspect and in that case the evidence may be circumstantial. The primary actors behind the Cochabamba conflict -- the prefecture and the MAS -- have filed claims against each other. Each accuses the other of fomenting the riots. Due to a legal technicality, the cases have been transferred to the Sucre DA. The Cochabamba DA has called the transfer a blessing, given the political nature of the cases. End Summary.

The Human Rights Ombudsman's View

12. (SBU) Augusto Siles, the human rights ombudsman's representative in Cochabamba, explained that the investigation into the murder of Juan Ticacolque, a pro-MAS 40-year old cocalero, was progressing and the police had a prime suspect. He lamented that the case of Christian Urresti, a 16-year old anti-MAS protester, was closed (basically on hold) because witnesses are afraid to come forward. Siles explained that his office had taken a doctor's testimony regarding the condition of Urresti's body, but even the doctor (who was not an eye-witness) feared for his safety. Siles also mentioned that the case of Luciano Colque, (another pro-GOB cocalero who was rendered comatose and died 45 days following the conflict) has also failed to progress.

The District Attorney's Perspective

¶13. (SBU) The Cochabamba district attorney (DA) Cesar Cartagena confirmed many of Mr. Siles' statements. The DA also explained that the cases are no longer under his supervision. Apparently, representatives from the prefecture and the cocaleros each filed claims against each other in Cochabamba and in Sucre (the judicial capital). Under Bolivian law, two DAs cannot investigate the same case, so in May the Sucre DA took over the cases and obtained copies of the cases files.

¶14. (SBU) DA Cartagena mentioned that while his office was still managing the cases, he managed to get two of La Paz's best homicide detectives to secretly come to Cochabamba to investigate the deaths. Yet even with their expertise, they were not able to make any progress on the Urresti case. In the Juan Ticacolque case, Cartagena explained that authorities had a prime suspect. According to Cartagena, forensics experts determined that Ticacolque was killed with a 22 caliber bullet. The prime suspect is a man who police detained near the scene of Ticacolque murder for carrying a 22 caliber pistol. (Note: The only link between the suspect and Ticacolque appears to be the 22 caliber pistol. Cartagena never mentioned whether the pistol showed evidence of being fired or of eye witnesses to the shooting. End Note).

¶14. (SBU) The primary actors behind the Cochabamba conflict -- the prefecture and the MAS -- have filed claims against each other, accusing each other of fomenting the riots. Representatives of the prefecture have filed claims against a host of Movement Towards Socialism (MAS) leaders, including alternate MAS senator Leonilda Zurita and current minister of justice Celima Torrico. The prefecture claims that both participated and perhaps led the riots which resulted in the prefecture building's fire. Cartagena indicated that neither woman had cooperated with his office's investigation prior to his sending the case to Sucre. The MAS has filed charges against prefect Manfred Reyes Villa. The case essentially argues that Reyes Villa's call for a new autonomy referendum incited the pro-GOB cocaleros to protest which eventually led to their burning the prefecture building. The case also charges the prefect abandoned his responsibilities (when he traveled to Santa Cruz and La Paz) during the conflict.

Comment

¶15. (SBU) The division and vitriol between supporters of the prefecture and the central government ensure that any investigation will be extremely difficult. Due to a lack of political will and the resources to conduct a proper investigation the families of the three victims may never see justice. Not surprisingly DA Cartagena called the transfer of the cases from his district to Sucre a "blessing from God." End Comment.

GOLDBERG